IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 807 OF 2005

Prabhakar Ganpat Gorule ... Petitioner

Vs.

Bombay Mun. Corpn. and Anr. ... Respondents

Mr. S.A. Sawant for Petitioner.

Mrs.A.K. Savla for Respondents.

CORAM: F.I. REBELLO &
MRS.V.K.TAHILRAMANI,JJ.
DATE : 12th June, 2006

P.C.:

. The notice was served on the Petitioners for opening the door on the common terrace without authority of law. The society in fact had complained against the act of Petitioner and pursuant to that action was taken by Respondent. It is pointed out on behalf of the Petitioners that subsequently the society has passed resolution to condone the act of the Petitioners. If that be so, in our opinion, the petition can be disposed of by issuing following directions :

(1) The Petitioner to make representation to the appropriate authorities of the Mumbai Municipal Corporation along with necessary particulars including resolution of the society. On such application being made within four weeks from today, the competent authority to consider the same and dispose of the same according to law within the period of eight weeks thereafter. If for some reasons, the permission is refused the Petitioner will have to comply with the directions issued by

the Corporation.

(2) During the pendency of the application and its consideration, respondent not to act on their notice.

. With the above observations, rule made absolute accordingly. No order as to costs.

(F.I.REBELLO, J.)

(MRS.V.K.TAHILRAMANI,J.)